

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

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DISTRICT OF MARYLAND

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DEPUTY

Sandra S. Forquer
452 E Broadway Street
Bel Air, Maryland 21014
Plaintiff

Case No **JKB12CV0146**

vs

Judge _____

STUART R. BLATT P.A.
JEFFREY N. PRITZKER P.A.
100 West Road, Suite 222
Towson, Maryland 21204
Defendants

Trial by Jury Demanded

ORIGINAL COMPLAINT FOR VIOLATIONS OF THE FDCPA

JURISDICTION

1. This court has jurisdiction under 15 U.S.C. § 1692 et seq., 28 U.S.C §1331, and 28 U.S.C. § 1337.
2. All conditions precedent to the bringing of this action have been performed.

PARTIES

3. The Plaintiff in this lawsuit is Sandra S. Forquer, a natural person, who resides in Harford County, Maryland heretofore referred to as Plaintiff.
4. The Defendant(s) in this lawsuit are Stuart R. Blatt P.A. and Jeffrey N. Pritzker P.A., with offices at 110 West Road Ste 222, Towson, Maryland 21204, heretofore referred to as

Defendants. At all relevant times herein, Defendants, acted as debt collectors within the meaning of 15 U.S.C. § 1692a(6) in that they held themselves out to be collecting a debt allegedly owed to CITIBANK (SOUTH DAKOTA) N.A.

VENUE

- 5. The occurrences which give rise to this action, occurred in Harford County, Maryland and Plaintiff resides in Harford County, Maryland.**
- 6. Venue is proper in the District of Maryland.**

GENERAL ALLEGATIONS

- 7. In April of 2010 Plaintiff received a letter from Defendants claiming to have been retained by CITIBANK (SOUTH DAKOTA) N.A. to collect on an alleged debt in the amount of \$14,058.65. Plaintiff had already received a letter from another debt collector claiming the same alleged debt asking for \$7,732.26 in March of 2010.**
- 8. In the letter Plaintiff received from Defendants in April of 2010, Defendants identified themselves as debt collectors by "mini Miranda".**
- 9. In October of 2010 Defendant served a Writ of Summons to a third unauthorized party intended for Plaintiff indicating they had sued her in State Court claiming to be representing CITIBANK (SOUTH DAKOTA) N.A. for recovery of the alleged account listed above in the amount of \$14,058.65 which was a false record creating a violation of FDCPA 15 U.S.C. § 1692 (e)(2).**
- 10. On January 11, 2011 Plaintiff entered into the State Court and submitted to CITIBANK**

(SOUTH DAKOTA) N.A. and Defendants named above, a Demand to Cease and Desist Collection Activities Prior to Validation of Purported Debt and Affidavit in Support of Commercial Discharge.

- 11. Plaintiff was unaware and uneducated on Court Procedures and unable to afford counsel at the time of the suit.**
- 12. On January 14, 2011 the District Court of Maryland entered an Affidavit Judgment in favor of CITIBANK (SOUTH DAKOTA) N.A. in the case brought by Defendants named above in the total amount of \$16,250.45.**
- 13. At no time did Defendants provide to Plaintiff any proof of having been "hired" by or having been given authorization to represent CITIBANK (SOUTH DAKOTA) N.A. on any alleged account but rather identified themselves as debt collectors. Plaintiff has never done any type of business with or had any type of contractual obligation to Defendants.**

Count I

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) 15 U.S.C. § 1692 et seq. WILLFUL NON-COMPLIANCE BY STUART R. BLATT P.A. AND JEFFREY N. PRITZKER P.A.

- 14. Paragraphs 1 through 13 are re-alleged as though fully set forth herein.**
- 15. Plaintiff is a consumer within the meaning of 15 U.S.C. § 1692a(3).**
- 16. Defendants are debt collectors within the meaning defined by 15 U.S.C. § 1692a(6) and sought to collect a consumer debt from Plaintiff.**
- 17. Plaintiff has never conducted business or had any accounts with Defendants.**
- 18. In April of 2010 Defendants attempted to collect an alleged debt under false, deceptive,**

and misleading means and stated inaccurate character, amount and status of said debt violating FDCPA 15 U.S.C. § 1692e(2).

- a. 15 U.S.C. § 1692e states that a "false, deceptive, and misleading representation in connection with the collection of any debt", includes the false representation of the character or legal status of any debt and further makes a threat to take any action that cannot legally be taken is deceptive practice.

19. In October of 2010 Defendant served summons on Plaintiff to a third party not authorized to receive any documents or information for Plaintiff using an unidentified server.

20. On January 11, 2011 Plaintiff filed above identified documents into the Court and sent same to CITIBANK (SOUTH DAKOTA) N.A. and Defendants, which were not acknowledged or adhered to.

21. On January 14, 2011 Defendants obtained a Judgment against Plaintiff by false, deceptive and misleading means as defined by FDCPA 15 U.S.C. § 1692e(2) in the District Court of Maryland for Harford County.

22. THE FDCPA BROADLY PROHIBITS UNFAIR OR UNCONSCIONABLE COLLECTION METHODS, CONDUCT WHICH HARASSES, OPRESSES OR ABUSES ANY DEBTOR, AND ANY FALSE, DECEPTIVE OR MISLEADING STATEMENTS IN CONNECTION WITH THE COLLECTION OF A DEBT.

- a. The Fair Debt Collection Practices Act (FDCPA) is a comprehensive statute which prohibits a catalog of activities in connection with the collection of debts by third parties. See 15 U.S.C. § 1692 et seq. The FDCPA imposes civil liability on any person or entity that violates its provisions and establishes general standards of debt collector conduct, defines abuse and provides for specific consumer rights. 15 U.S.C. § 1692k. The operative provisions of the FDCPA declare certain rights to be provided to or claimed by debtors, forbid deceitful and misleading practices, both generally and in a specific list of disapproved practices.

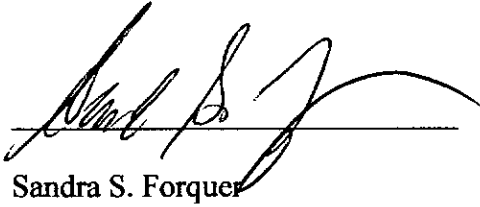
WHEREFORE, Plaintiff demands judgment against Defendant for statutory damages of \$1000.00 pursuant to 15 U.S.C. 1692e(2), actual damages in the amount of \$5000.00 for emotional distress and financial burden as well as any fees and costs pursuant to this suit.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law.

Dated: January 12, 2012

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Sandra S. Forquer', is written over a horizontal line.

Sandra S. Forquer
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410-638-1850
ssforquer@yahoo.com

SERVICE TO:

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